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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/754,707 01/12/2004		Masakatsu Arai	Q79329	9076		
23373	7590	11/18/2004		EXAMINER		
SUGHRUI	,	PLLC VIA AVENUE, N.W.	WILLIAMS, KEVIN D			
SUITE 800	BILVAN	NIA AVENUE, N.W.	ART UNIT	PAPER NUMBER		
WASHING	TON, DO	20037	2854			
			DATE MAILED: 11/18/2004			

Please find below and/or attached an Office communication concerning this application or proceeding.

	<u> </u>								
		Application	n No.	Applicant(s)					
Office Action Summary		10/754,707	•	ARAI ET AL.					
		Examiner		Art Unit					
		Kevin D. W	illiams	2854					
The MAILING DATE of this co Period for Reply	mmunication app	ears on the	cover sheet with the c	orrespondence ad	ldress				
A SHORTENED STATUTORY PER THE MAILING DATE OF THIS COM - Extensions of time may be available under the pafter SIX (6) MONTHS from the mailing date of - If the period for reply specified above is less that - If NO period for reply is specified above, the ma - Failure to reply within the set or extended period Any reply received by the Office later than three earned patent term adjustment. See 37 CFR 1.	MMUNICATION. provisions of 37 CFR 1.13 this communication. n thirty (30) days, a reply ximum statutory period w for reply will, by statute, months after the mailing	36(a). In no ever y within the statut will apply and will , cause the applic	or, however, may a reply be time ory minimum of thirty (30) day expire SIX (6) MONTHS from the to become ABANDONE	nely filed s will be considered time the mailing date of this o D (35 U.S.C. § 133).					
Status									
1) Responsive to communication	n(s) filed on 12 Ja	anuarv 2004							
2a) ☐ This action is FINAL .		action is no							
3) Since this application is in cor	<u></u>								
closed in accordance with the	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposition of Claims									
4) ☐ Claim(s) 1-20 is/are pending is 4a) Of the above claim(s) 9-20 5) ☐ Claim(s) is/are allowed 6) ☐ Claim(s) 1-8 is/are rejected. 7) ☐ Claim(s) is/are objecte 8) ☐ Claim(s) are subject to	o is/are withdrawn	n from consi							
Application Papers									
9)☐ The specification is objected to 10)☒ The drawing(s) filed on 12 Jar Applicant may not request that a Replacement drawing sheet(s) in 11)☐ The oath or declaration is objective.	nuary 2004 is/are: ny objection to the o	: a)⊠ acce∣ drawing(s) be tion is require	held in abeyance. Seed if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 C	FR 1.121(d).				
Priority under 35 U.S.C. § 119									
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.									
Attachment(s)									
1) Notice of References Cited (PTO-892)	. ,		4) Interview Summary						
 Notice of Draftsperson's Patent Drawing R Information Disclosure Statement(s) (PTO-Paper No(s)/Mail Date 1/12/04. 			Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:		O-152)				

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-8, drawn to a stencil printing ink container, classified in class
 101, subclass 119.
- II. Claims 9-20, drawn to an inner plug, classified in class 222, subclass 147.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions Group I and Group II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the

combination does not require that the inner plug comprise a cylindrical first portion being larger in outer diameter than the ink charge port. The subcombination has separate utility such as use with an ink container body having an ink charge port provided in an

area other than the end wall of the container.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

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3. During a telephone conversation with Daryl Mexic on 11/8/2004 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-8. Affirmation of this election must be made by applicant in replying to this Office action. Claims 9-20 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 5. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Takemura (US 5,373,969).

Takemura teaches a stencil printing ink container (col. 1, lines 40-43) comprising an ink container body 1, an ink charge port 19 provided in an end wall of the ink container body, an inner plug 9 which is provided with an ink discharge port smaller in the outer diameter than the inner diameter of the ink charge port and a means for giving

an ink suction nozzle 50 of an ink pump access to the ink discharge port and is mounted on the ink charge port, a cylindrical portion (Fig. 2) which is provided with said ink discharge port on its front end and is engaged with and disengaged from the suction nozzle by pushing toward and pulling away from the suction nozzle, means 11 for keeping liquid-tightness to the ink charge port, draw resistant means which is resistive to draw of the inner plug from the ink charge port and provides strength of engagement between the inner plug and the ink charge port withstanding pulling force acting when the ink discharge port is pulled away from the suction nozzle to be disengaged therefrom, a guide cylinder 7 which projects outward from the end wall around the ink charge port and the means for keeping liquid-tightness to the ink charge port is an elastic annular member 11 which is provided on the peripheral surface of the inner plug integrally therewith to be press-fitted on the inner peripheral surface in a liquid-tight fashion, an elastic hook engaged with the peripheral edge of the ink charge port, and ink filled in the container.

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Conclusion

Any inquiry concerning this communication or earlier communications from the 6. examiner should be directed to Kevin D. Williams whose telephone number is (571) 272-2172. The examiner can normally be reached on Monday - Friday, 8:30am -6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KDW

November 12, 2004

ANDREW H. HIRSHFELÖ SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2800

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